

**DECISION RECORD and FINDING OF NO SIGNIFICANT IMPACT**  
**for the**  
**Wild Horse Gathering Inside and Outside of the Crooks Mountain**  
**Wild Horse Herd Management Area**  
**EA Number WY-050-EA2-032**



U.S. Department of the Interior  
Bureau of Land Management  
Lander Field Office  
July 2002

July 3, 2002

The Bureau of Land Management (BLM), Lander field Office prepared Environmental Analyses (EA's) for gathering wild horses in the Crooks Mountain and Green Mountain Wild Horse Herd Management Areas. These EA's were provided to all interested publics prior to April 28, 2002 with a 30 day public comment period. The comment period ended on May 28, 2002.

Based upon the analyses in the EA's and the public comments, we have prepared the enclosed Decision Records and Findings of No Significant Impact. They are being sent to all of the parties that received the EA's for comment. If you have any questions, you may contact the BLM at the above address or contact Roy Packer at 307-332-8400.

**DECISION RECORD**  
**and**  
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**for the**  
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**DECISION**

It is my decision to approve the Proposed Action as described in the Environmental Assessment (EA) for Wild horse Gathering Inside and Outside of the Crooks Mountain Wild Horse Herd Management Area (HMA). The Bureau of Land Management (BLM) will gather approximately 80 - 90 horses from the Herd Management Area (HMA) and another 10 - 20 horses would be gathered from outside of the HMA. Excess wild horses will be gathered and removed according to the Wild Horse Gathering Plan. The gathering operation is expected to require approximately two weeks. It will begin sometime after the middle of July 2002 and end upon completion of the project.

Removal of excess wild horses will leave wild horse populations in conformance with the appropriate management levels established in the land use planning decisions for the Lander Field Office and the Rawlins Field Office.

**FINDING OF NO SIGNIFICANT IMPACT**

Based on the analysis in the EA, I have determined that the impacts to the quality of the human environment are not expected to be significant. Therefore, an environmental impact statement is not necessary.

I have reviewed my responsibilities under existing laws, regulations, policies, and land use decisions, and my decision is consistent with them.

**RATIONALE FOR DECISION**

My decision to approve gathering and removal of excess wild horses is based upon the following:

The decisions in the Great Divide Resource Area Evaluation/Capture plan provide for maintaining an Appropriate Management Level (AML) of 75 horses within the HMA. The March, 2001 wild horse inventory and the projected post 2001 and 2002 foaling population

indicates that wild horse numbers in the HMAs are above the AML. The Lander Resource Management Plan (RMP) and the Great Divide Resource Area Evaluation sets objectives and identifies management actions which will be carried out to maintain a thriving, natural, ecological balance and to preserve the multiple-use relationship that exists in the areas occupied by wild horses. Management in accordance with these objectives is needed to maintain the health of public rangelands. The wild horses and other animals rely on these public rangelands to maintain populations at levels that insure the health and viability of the herds and prevent unwanted damage to state and privately owned land. In order to achieve these objectives, it is necessary to remove excess horses from the Crooks Mountain HMA. For this reason, all horses above the AML are considered excess and subject to removal. Gathering wild horses is in conformance with the land use plan.

Based on the analysis in EA No. WY-050-EA2-032, the impacts to the wild horses and to other resources will not be significant. This gather will not reduce the population in the Crooks Mountain HMA below AML, nor will it indirectly cause the population in any adjacent HMA to be below AML. The gather will be conducted in accordance with established procedures and will use proven methods. This will insure that the horses will be treated in a safe and humane manner. Population modeling developed by Dr. Stephen Jenkins affirmed all conclusions regarding population demographics. The horses will be treated in a safe and humane manner. Safety risks to BLM employees and the wild horses will be minimized through the planned actions identified in the Gathering Plan.

## **PUBLIC COMMENTS ON THE EA**

Public comments on the EA were accepted until close of business May 28, 2002. Four comment letters were received. These comments represented a full range of views. Three of the four comment letters supported removal operations to lower levels of AML. The fourth comment letter requested withdrawal of the EA and the need to complete an environmental impact statement (EIS) prior to any removal.

## **COMPLIANCE AND MONITORING**

Gathering and removal of excess wild horses will be conducted as described in the gathering plan. The BLM will continue to monitor wild horse numbers, utilization, and range conditions to achieve the multiple use objectives within the wild horse herd management areas.

## **APPEALS**

This decision is issued in full force and effect in accordance with 43 CFR 4770.3(c) which states in part: "decisions ...shall be effective upon issuance or on a date established in the decision." This decision is issued in accordance with 43 CFR 4700.0-1. Administrative remedies are provided at 43 CFR 4770.3(a) which states: Any person who is adversely affected by a decision of the authorized officer in the administration of these regulations may file an appeal. If you wish to appeal this decision, as provided by 43 CFR 4770.3 and 43 CFR 4.21, you must file an appeal in writing within 30 days of receipt of this decision with the BLM Lander

Field Office, P.O. Box 589, Lander, Wyoming 82520.

The appeal shall state clearly and concisely why you think the decision is in error.

Should you wish to file a motion for stay, the appellant shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success on the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted; and
4. Whether the public interest favors granting the stay.

If you decide to also submit a petition for stay of the decision , a copy of the notice of appeal, statement of reason, and petition for stay should be simultaneously filed with the Office of the Field Solicitor, Rocky Mountain Region, 755 Parfet Street, Suit 151, Lakewood, Colorado 80215.

Signed Jack Kelly  
Jack Kelly, Lander Field Manager

June 13, 2002  
Date